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NEWS RELEASE

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GRAND JURY RETURNS INDICTMENTS

Kansas City, Kan. – United States Attorney Eric Melgren announced that 13 individuals were indicted on Sept. 15, 2004, by a federal grand jury in Kansas City, Kansas. Those indicted include:

Derrick L. Jones, 18, Leavenworth, Kan., who is charged in a superseding indictment with one count of possession with intent to distribute marijuana within 1,000 feet of Lawson Elementary School on May 27, 2004; and one count of carrying a firearm – a .22 caliber LR Phoenix Arms semiautomatic Pistol, Model HP22 – while engaged in a drug trafficking crime on May 27, 2004.

If convicted, Jones faces a maximum of five years in prison and a \$250,000 fine. The case was investigated by the Leavenworth Police Department and is being prosecuted by Assistant U.S. Attorney Terra Morehead.

Timothy M. Smith, 35, Kansas City, Kan., is charged in six counts including: One count of possession with intent to distribute 18.23 grams of methamphetamine on July 7, 2004; one count of possession with intent to distribute 28.1 grams of cocaine on July 7, 2004; one count of illegally carrying a firearm – a Lorcin Engineering Co., Inc. Model Lorcin L380, .380 caliber pistol, while engaged in a drug trafficking crime July 7, 2004; one count of illegally possessing a firearm on July 7, 2004 that was shipped to him through interstate commerce after his being convicted in 1999 on a misdemeanor domestic violence charge; one count of illegally possessing on July 7 a Keystone Sporting Arms Inc., Model Davey Cricket, .22 caliber rifle that was not registered to him in the National Firearms Registration and Transfer Record; and one count of possession with intent to distribute 76.4 grams of methamphetamine on July 8, 2004.

If convicted, Smith faces a maximum penalty of 40 years in prison on possession with intent to distribute 18.23 grams of methamphetamine; 20 years in prison on possession with intent to distribute cocaine; life in prison for possession of a firearm while engaged in drug trafficking; 10 years in prison for illegally obtaining a firearm; 10 years in prison for possession of a rifle that was not registered; and life in prison for possession with intent to distribute 76.4 grams of methamphetamine. The case was investigated by the Bureau of Alcohol, Tobacco and Firearms and Explosives and is being prosecuted by Assistant U.S. Attorney Terra Morehead.

Chris Folkers, 43, Olathe, Kan., is charged in three counts including: one count of falsely reporting a \$386,111 loss from partnerships and S corporations in a federal tax return on March 10, 2000; one count of falsely reporting net operating loss deductions after carryback of \$306,405 for calendar year 1997 and \$233,008 for calendar year 1998 in an application for refund to the Internal Revenue Service April 17, 2000; and one count of falsely reporting a net operating loss carryforward of \$156,003 for calendar year 2000 in a tax return on April 10, 2001.

If convicted, Folkers faces up to three years in prison and a \$250,000 fine on each count. The case was investigated by the Internal Revenue Service and is being prosecuted by Assistant U.S. Attorney Leon Patton.

Denise Woods, 44, Kansas City, Mo., is charged with four counts of crimes that are alleged to have occurred while she was a postal employee including: one count of stealing two Target gift cards valued at \$20 and \$41.80 from a letter on Dec. 19, 2003; one count of stealing two \$50 Kohl's gift cards and three \$25 Wal-Mart gift cards from a letter on Dec. 20, 2003; one count of stealing a \$50 JC Penney gift card and a \$40 GAP gift card from a letter Jan. 2, 2004; and one count of stealing two DVDs from a letter Jan. 2, 2004.

If convicted, Woods faces up to five years in prison and \$250,000 fine on each count. The case was investigated by the U.S. Postal Service and is being prosecuted by Assistant US Attorney Leon Patton.

Boyd J. Price, 22, Shawnee, Kan., Kevin Allan Novosel, 22, Kansas City, Kan.; and **Gregory A. Novosel, 51, Kansas City, Kan.,** are charged with crimes relating to possession with intent to sell marijuana. The indictment alleges in one count that the three men conspired together from July 26, 2004 through Aug. 4, 2004 to manufacture and possess with intent to distribute 936 marijuana plants. In other counts, Price and Kevin Novosel are charged with aiding and abetting one another and others to manufacture and possess with intent to distribute 918 marijuana plants on July 26, 2004; Kevin Novosel is charged with manufacturing and possessing with intent to distribute 918 marijuana plants on Aug. 3, 2004; Kevin Novosel and Gregory Novosel are charged with carrying a Smith & Wesson 9 mm, semi-automatic pistol while engaged in drug trafficking on Aug. 3, 2004; Gregory A Novosel is charged with maintaining the property at 12400 Clubhouse Drive in Kansas City, Kan., for the purpose of manufacturing marijuana; Kevin Novosel and Gregory Novosel are charged with aiding and abetting one another and others to manufacture and possess with intent to sell 18 marijuana plants on Aug. 4, 2004.

The counts charging conspiracy to possess and distribute more than 900 marijuana plants and counts charging aiding in possession with intent to distribute more than 900 marijuana plants carry a penalty of up to 40 years in prison and a \$2 million fine. That penalty can be enhanced up to life in prison and a \$4 million fine if the defendant has a prior felony drug conviction. The count alleging carrying a firearm in a drug trafficking offense carries a penalty of up to five years in prison, consecutive to other terms of imprisonment, and a fine up to \$250,000 fine. The count alleging maintaining a drug-involved premises carries a maximum of 20 years in prison, a \$500,000 fine and forfeiture of the property. The count alleging possession of 18 marijuana plants carries a maximum penalty of 5 years in prison and a \$250,000 fine. The sentence can be enhanced up to 10 years in prison and a fine up to \$500,000 if the defendant has a prior felony drug conviction.

The case was investigated by the Drug Enforcement Administration, Kansas Bureau of Investigation and Kansas Department of Wildlife and Parks and is being prosecuted by Assistant US Attorney Marietta Parker

Jose Francisco Serrano Leon, 36, Independence, Mo., is charged with one count of violating interstate commerce laws by causing a wire communication to be transmitted from a Kinko's in Independence, Kan., to the United State Attorney's Office in Kansas City, Kansas, in a which a threat was expressed to injure Deputy Sheriff Jess Valdez, II of the Johnson County Sheriff's Department, Detective Jose Carrillo of the Overland Park Police Department and a member of Carrillo's family. According to the indictment, the threat was false and Serrano Leon sent it in hopes of falsely implicating another man in what he intended law enforcement officers to believe was a conspiracy to kill witnesses in a criminal case before they were able to testify. The indictment says Serrano Leon tried to make the threat appear authentic by including information he had obtained while working as a translator on a case for a criminal defense attorney.

If convicted, Serrano Leon faces up to five years in prison and a \$250,000 fine. Prosecutors also are seeking sentence enhancements based on facts in the case that could increase the penalties.

The case was investigated by the Drug Enforcement Administration, the Johnson County, Kansas, Sheriff's Department and the Overland Park, Kansas, Police Department and is being prosecuted by Assistant U.S. Attorney Marietta Parker.

Ivan Roldan, 24, Kansas City, Kan., is charged with one count of distributing 27.5 grams of a mixture containing cocaine on June 23, 2004 and one count of distributing 502 net grams of a mixture containing cocaine on July 8, 2004.

If convicted on the charge relating to 27.5 grams, Roldan could face up to 20 years in prison and a \$1 million fine. The sentence could be enhanced up to 30 years in prison and a \$2 million fine if the defendant has a prior felony drug conviction. If convicted in the count involving 502 grams, Roldan could face up to 40 years in prison and a \$2 million fine. The sentenced could be enhanced up to life in prison and a \$4 million fine if the defendant has a prior felony drug conviction.

The case was investigated by the Drug Enforcement Administration along with the Kansas City, Kan., Police Department and it is being prosecuted by Assistant U.S. Attorney Sheri McCracken.

Shakir Abdush-Shakur, 39, who is incarcerated in the U.S. Penitentiary at Leavenworth, Kan., is charged with one count of attempting to kill Senior Officer Specialist Timothy McDonald by stabbing him with a homemade knife and one count of possessing a knife, which is prohibited for an inmate at a penitentiary.

If convicted, Abdush-Shakur faces up to 20 years in prison on the attempted murder charge and up to five years in prison, to be served consecutively, on the charge of possessing a prohibited object.

The case was investigated by the Federal Bureau of Investigation and is being prosecuted by Assistant U.S. Attorney Kim Berger.

Craig Ivancic, 29, Prairie Village is charged with one count of traveling in interstate commerce for the purpose of engaging in sex with a minor on Sept. 9, 2004, and one count of using a telephone on Sept. 9, 2004, in violation of interstate commerce law to attempt to persuade a minor who lived in Clay County, Mo., to engage in sex with him

If convicted, Ivancic faces up to 15 years in prison and a \$250,000 fine on each count. The case was investigated by the Federal Bureau of Investigation and is being prosecuted by Assistant US Attorney Kim Berger.

Gene Vladimir Czaplinsky, 59, Topanga, Calif., was charged with one count of traveling in interstate commerce on Sept. 7, 2004, for the purpose of engaging in sex with a minor.

If convicted, he faces up to 15 years in prison and a \$250,000 fine. The case was investigated by the Federal Bureau of Investigation and is being prosecuted by Assistant US Attorney Kim Berger.

Marco Antonio Anaya-Armendariz, 28, Kansas City, Kan., was charged with falsely representing himself as a U.S. citizen to Customs Enforcement agents on Sept. 8, 2004.

If convicted, he faces up to three years in prison and a \$250,000 fine.

The case was investigated by U.S. Immigration and Customs Enforcement and is being prosecuted by Special Assistant U.S. Attorney Tristram W. Hunt.

As in any criminal case, a person is presumed innocent until and unless proven guilty. The Indictments filed merely contain allegations of criminal conduct.

